HONOURABLE MRS. JUSTICE T.MEENA KUMARI
&
HONOURABLE MS JUSTICE G. ROHINI

WRIT PETITION No:19170 OF 2007

Dated:26.12.2007

Between:

M/s. Coramandal Fertilisers Limited,
Coramandal House, 1-2-10, Sardar Patel Road,
Secunderabad rep., by P.L.N. Murthy,
General Manager (Finance).

..Petitioner

And

1. The Commercial Tax Officer,
   S.D. Road Circle, Secunderabad and another.

..Respondents.

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HONOURABLE MRS. JUSTICE T.MEENA KUMARI
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ORDER: (Per Hon'ble Smt. Justice T. Meena Kumari)

The present writ petition is filed by the petitioner seeking to declare the action of the respondents in not refunding an amount of Rs.13,77,568/-, which was paid by the petitioner for the assessment year 1994-95, even at the belated stage, as illegal and arbitrary and consequently, to direct the respondents to refund the above amount with interest forthwith.

When this matter has come up for hearing, the learned Special standing Counsel for Commercial Taxes has while submitting the written instructions, stated that the department would incline to refund the tax to the petitioner and therefore, time is sought for, for refund of the tax.

In view of the facts and circumstances of the case and in view of the submission made by the learned standing Counsel as well as the written instructions, which have been placed before this Court, without expressing any opinion on the merits of the case, We feel it a fit case wherein some time can be granted for refund of the amount in question.

Accordingly, three months time is granted for refund of the amount in question, from the date of receipt of a copy of the order.

Subject to the above direction, the writ petition is disposed of. No order as to costs.

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Justice T. Meena Kumari

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Justice G. Rohini

Date: 26th December, 2007
Note:
CC in one week.
(BO)
Nn/Gurc.

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(Order delivered by the Hon'ble Smt. Justice T. Meena Kumari)

26/12/2007